

Appln. Serial No. 79/033,349
Amendment dated October 8, 2008
Reply to Office Action of May 8, 2008

Attorney Docket No. 07090/RPM

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

Applicant(s): INNOARTISTICO GmbH

Serial No. : 79/033,349

Filed : July 26, 2006

Mark : INNOARTISTICO (Stylized)

TM Atty. : Leigh A. Lowry

Law Office : 115

A M E N D M E N T

Commissioner for Trademarks
P. O. Box 1451
Arlington, VA 22313-1451

S I R :

Responsive to the Final Office Action dated May 8, 2008, the term for response to which expires November 8, 2008, please amend the present application as follows:

IN THE RECITATION OF SERVICES:

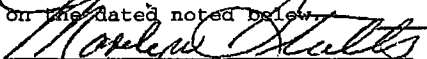
Please cancel the prior Recitation of Services for International Classes 35, 36, 38, 41 and 43 and insert therefor the following:

Advertising; business management consultancy, in particular professional business consultancy, sales promotion and marketing, all in the field of organization of

CERTIFICATE OF FACSIMILE
TRANSMISSION
TO NO.: (571) 273-9115

TOTAL PAGES: 8

I hereby certify that this paper is being facsimile transmitted to the Commissioner For Trademarks on the date noted below.


Marilyn Stults

Dated: October 8, 2008

In the event that this Paper is late filed, and the necessary petition for extension of time is not filed concurrently herewith, please consider this as a Petition for the requisite extension of time, and to the extent not tendered by check attached hereto, authorization to charge the extension fee to Deposit Account No. 06-1378.

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events and exhibitions of artists and for artists and in the field of art and artists; business management for visual, performing and literary artists; promoting the goods and services of artists by means of advertising through print, audio, video, digital and on-line media; business inquiries and consultancy, in particular agencies of business contacts and business addresses, namely, providing business advice, commercial information, and office administration services; organization of exhibitions and fairs for commercial and advertising purposes in the field of art trade and art dealers, for presenting artists and artistic entertainment, for artistic education models; advertising services, namely providing advertising space for others on homepages, web sites and the Internet; compilation and systemization of information into computer databases; business management for others in the nature of tour management for artists, in International Class 35.

Financial sponsorship for artists, and financial support for artists in the nature of grants, educational scholarships, and financial support to artists with financial constraints, in International Class 36.

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Providing access to electronic sites in the nature of providing access to web sites for downloading information, in particular information about events, exhibitions, artists, artists' materials, in particular concerning musicians, singers, conductors, painters, actors, musical instruments and spare parts therefor, event locations and contacts; providing multiple-user access to global computer networks; transmission of data via computer networks, in International Class 38.

Organization of exhibitions for cultural and educational purposes in the field of art, artistic education and artistic entertainment, art appreciation, and artistic support for artists; arranging and conducting colloquiums, seminars in the field of art appreciation, artistic support of artists; arranging and organization of concerts, live music, comedy, artistic guest performances, readings, operas and music festivals; ticket reservations for entertainment events; artists' agencies, in particular placement of artists with event organizers, providing artists for orchestra services, for events, for sound and recording studio and artistic support of artists, namely, encouraging

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artistic education and artistic talent by organizing, promoting, sponsoring, conducting, administering, and governing art programs and activities by organizing, sponsoring, developing and carrying out national and international artist student exchanges, and by providing information to third parties related thereto; orchestra services, namely, entertainment in the nature of symphony orchestra performances, live music performances; providing karaoke facilities; entertainment in the nature of theater, television, road show and touring show production; entertainment event information; providing interactive information concerning entertainment events, online from databases or through the Internet; educational services, namely, providing classes, workshops, and seminars in the field of support of art and artists; correspondence courses in the field of support of art and artists; conducting seminars, arranging and conducting symposiums, all in the field of support of art and artists; translation services, translation services for concert programs, in International Class 41.

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Rental and furnishing of premises for cultural events,
namely, providing facilities for exhibitions, concerts, and
theater production, and rental of tents, and galleries, in
International Class 43.

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R E M A R K S

Reconsideration of the present application, as amended, is respectfully requested.

The May 8, 2008 Office Action and the Trademark Examining Attorney's comments have been carefully considered. In response, the Recitation of Services is amended, and remarks are set forth below in a sincere effort to place the present application in form for publication. The amendments to the services do not extend beyond the scope of the services as pending prior to amendment. Therefore, no new matter is added.

RECITATION OF SERVICES

In the Office Action the Trademark Examining Attorney objects to the Recitation of Services as being indefinite. In response, the Recitation of Services is amended in a sincere effort to overcome the indefiniteness refusal. In view of the amendment of the Recitation of Services, reconsideration and withdrawal of the objection to the Recitation of Services are respectfully requested.

Applicant notes that the wording "artists' agencies, in particular placement of artists with the event organizers, providing artists for orchestra services, for events, for sound

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and recording studios" in the amended Recitation of Services is indicated as being unacceptable because the Trademark Examining Attorney states that it does not set forth services in International Class 41, which is the International Class assigned by the International Bureau. However, the Trademark Examining Attorney is respectfully advised that these services were not amended during the prosecution of the present application, and that these services were classified in International Class 41 by the International Bureau. The Trademark Examining Attorney is respectfully reminded that the International Classification of Goods and Services and applications filed under Section 66a of the Trademark Act cannot be changed from the classification the International Bureau assigned to the goods and services in the corresponding International Registration. Therefore, these services must remain in International Class 41 and need not be further amended.

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Each of the objections to this trademark application has been addressed in this Amendment. If the Trademark Examining

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Attorney has any questions, comments, objections or recommendations, the Trademark Examining Attorney is respectfully requested to contact the undersigned at the telephone number listed below for prompt action. Passing of this application to publication is respectfully requested.

Respectfully submitted,



Robert D. Michal
Attorney For Applicant

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